

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Lau Gilsinan, Wing Chi Gigi

Plaintiff

v.

Alejandro Mayorkas, et al.

Defendants

Case No.: 2:22-cv-01690-JAD-VCF

Order Setting Hearing on Motion

[ECF No. 2]

On October 19, 2022, plaintiff Wing Chi Gigi Lau Gilsinan filed a petition for a writ of mandamus, requesting that the court compel defendants Department of Homeland Security Secretary Alejandro Mayorkas and Citizen and Immigration Services Director Ur Jaddou “to take all appropriate action to adjudicate [her] application for naturalization . . . without further delay.”¹ On April 17, 2023, Gilsinan moved for “a status hearing” on her case.² Federal Rule of Civil Procedure 3 states that “[a] civil action is commenced by filing a complaint with the court.”³ Rule 4 requires a plaintiff to serve the complaint and summons on the defendants and states that, if service is not effectuated within 90 days, the court “must dismiss the action without prejudice against that defendant[s] or order that service be made within a specified time.”⁴ Though the petition is structured as a complaint and Gilsinan appears to have served the petition

¹ ECF No. 1 at 1.

² ECF No. 2 at 1.

³ Fed. R. Civ. P. 3.


⁴ Fed. R. Civ. P. 4(c), (m).

1 on the government,⁵ the docket does not reflect that the government was served a summons or
2 that it waived service.⁶ So, because the petition was filed more than 90 days ago,

3 IT IS THEREFORE ORDERED that Gilsinan must serve the summons and file proof of
4 service by May 10, 2023.

5 IT IS FURTHER ORDERED that the government must file a response to plaintiff's
6 motion by May 16, 2023, with Gilsinan's reply due on May 19, 2023.

7 IT IS FURTHER ORDERED that the parties must appear for a hearing on the pending
8 motion on May 24, 2023.

9
10
11 
12 U.S. District Judge Jennifer A. Dorsey
13 May 3, 2023
14
15
16
17
18
19
20
21
22

⁵ ECF No. 1 at 6 (certificate of service); *see* Local Rule II 5-1 (“Proof of service may be by written acknowledgment of service or certificate of the person who made service”).

⁶ Fed. R. Civ. P. 4(d) (providing instructions for waiving service).